

Application granted. Plaintiff's request for a thirty day extension to serve Defendant is granted. The initial status conference is adjourned to December 20, 2019 at 3:45 p.m.

SO ORDERED.


Ronnie Abrams, U.S.D.J.
November 12, 2019



Law Office of Brian Thomas McCarthy, PLLC
68 South Service Road, Suite 100
Melville, New York 11747-2350
Telephone No. 631-577-7986
Telefax No. 631-454-5252
Email Address btm@btmccarthylaw.com
Website Address www.btmccarthylaw.com

November 12, 2019

Via ECF

United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Courtroom 1506
New York, NY 10007
Attn: Hon. Ronnie Abrams
United States District Court Judge

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 11/12/19**

Re: *Frank Scobbo Contractors Inc. v. Castillo*
SDNY Index No. 1:19-cv-05981-RA

Dear Judge Abrams,

I write as counsel for the Plaintiff to move pursuant to Fed. R. Civ. P. Rule 4(m) for an extension of time to serve the Defendant and to request an adjournment of the court conference scheduled for November 15, 2019. I have been informed by my client that Defendant Castillo is no longer operating out of his former office and is no longer residing at his former home. These are the two locations where process servers have previously unsuccessfully attempted to serve the Defendant on multiple occasions. As the Defendant has not been served, we request the upcoming court conference be adjourned.

My client has received information from commercial sources that the Defendant is still conducting business in the area, but we have been unable to locate the Defendant to serve him. Accordingly, I respectfully request a final thirty (30) day extension of time to serve the Defendant. If we are unable to serve the Defendant on or before December 13, 2019, the Plaintiff will voluntarily discontinue the case without prejudice.

One prior request for an extension of time to serve the defendant been made in this action.

Respectfully submitted,
s/Brian T. McCarthy
Brian T. McCarthy (BM-4808)